

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

C.C., individually and on behalf of R.C–D.,

Plaintiff,

v.

NEW YORK CITY DEPARTMENT OF
EDUCATION,

Defendant.

ORDER

21 Civ. 11121 (ER)

RAMOS, D.J.

On December 28, 2021, C.C. brought this action against the New York City Department of Education (“DOE”), seeking fees and costs pursuant to 20 U.S.C. § 1415 of the Individuals with Disabilities Education Act and related claims. Doc. 1. On January 4, 2022, C.C. filed an affidavit of service representing that the DOE had been served via email. Doc. 5. The DOE’s answer was therefore required to be filed by January 25, 2022. *See id.* To date, the DOE has failed to answer or otherwise appear in this action.

C.C. is therefore directed to submit a status report by **April 12, 2022**, including an explanation of whether service by email upon the DOE was proper service. Failure to comply with Court orders may result in sanctions, including dismissal for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).

It is SO ORDERED.

Dated: April 5, 2022
New York, New York



Edgardo Ramos, U.S.D.J.